

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CHARLES E. SMITH,
Petitioner**

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,
Respondents**

:
:
:
:
:
:
:
:

No. 1:17-cv-02339

(Judge Kane)

ORDER

AND NOW, on this 23rd day of March 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Petitioner Charles E. Smith's petition for writ of habeas corpus (Doc. No. 1), is **DISMISSED without prejudice**;
2. Based upon the Court's conclusions herein, a certificate of appealability shall not issue; and
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania